

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 MORGAN MALEK
Deputy Attorney General
4 State Bar No. 223382
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2643
6 Facsimile: (213) 897-2804
Attorneys for Complainant
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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2011-967

12 **CAMELLIA JOHNSON**
aka CAMI JOHNSON
13 **aka CAMI SUZANNE JOHNSON**
24924 Avignon Drive
14 Valencia, CA 91355

A C C U S A T I O N

15 Registered Nurse License No. 234876

16 Respondent.

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18
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
23 Consumer Affairs (Board).

24 2. On or about July 31, 1973, the Board issued Registered Nurse License No. 234876 to
25 Camellia Johnson aka Cami Johnson aka Cami Suzanne Johnson (Respondent). The Registered
26 Nurse License was in full force and effect at all times relevant to the charges brought herein and
27 will expire on June 30, 2013, unless renewed.
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1 or life."

2 9. California Code of Regulations, title 16, section 1443, states:

3 "As used in Section 2761 of the code, 'incompetence' means the lack of possession of or the
4 failure to exercise that degree of learning, skill, care and experience ordinarily possessed and
5 exercised by a competent registered nurse as described in Section 1443.5."

6 10. California Code of Regulations, title 16, section 1443.5 states:

7 "A registered nurse shall be considered to be competent when he/she consistently
8 demonstrates the ability to transfer scientific knowledge from social, biological and physical
9 sciences in applying the nursing process, as follows:

10 "(1) Formulates a nursing diagnosis through observation of the client's physical condition
11 and behavior, and through interpretation of information obtained from the client and others,
12 including the health team.

13 "(2) Formulates a care plan, in collaboration with the client, which ensures that direct and
14 indirect nursing care services provide for the client's safety, comfort, hygiene, and protection, and
15 for disease prevention and restorative measures.

16 "(3) Performs skills essential to the kind of nursing action to be taken, explains the health
17 treatment to the client and family and teaches the client and family how to care for the client's
18 health needs.

19 "(4) Delegates tasks to subordinates based on the legal scopes of practice of the
20 subordinates and on the preparation and capability needed in the tasks to be delegated, and
21 effectively supervises nursing care being given by subordinates.

22 "(5) Evaluates the effectiveness of the care plan through observation of the client's
23 physical condition and behavior, signs and symptoms of illness, and reactions to treatment and
24 through communication with the client and health team members, and modifies the plan as
25 needed.

26 "(6) Acts as the client's advocate, as circumstances require, by initiating action to improve
27 health care or to change decisions or activities which are against the interests or wishes of the
28 client, and by giving the client the opportunity to make informed decisions about health care

1 before it is provided."

2 COST RECOVERY

3 11. Section 125.3 provides, in pertinent part, that the Board may request the
4 administrative law judge to direct a licensee found to have committed a violation or violations of
5 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
6 enforcement of the case.

7 PATIENT B.M.

8 12. On or about May 4, 2007, Respondent was employed as the clinical Director of the
9 Behavioral Health Unit (BHU) at Northridge Hospital Medical Center, Northridge, California
10 (NHMC) and had a personal "unwritten policy" regarding patients with posey vests.¹ Respondent
11 was known to express her personal posey vest policy by saying: "I'd rather have someone fall
12 and break a hip than be in a restraint."

13 13. On or about May 2, 2007, at 2325 hours, Patient B.M., a 67 year old male and a
14 continuing patient at NHMC's BHU, had treating physician telephone orders of "renew posey
15 vest restraint for safety and postural support." Patient B.M. was agitated, confused, and
16 medicated.

17 14. On or about May 3, 2007, at 2330, Patient B.M.'s treating physician telephone orders
18 were "please renew posey vest restraint for safety and postural support." (emphasis added)

19 15. On or about May 4, 2007, Patient B.M., was under the care of Respondent as Director
20 of BHU, NHMC. Respondent was ultimately responsible for her staff, registered nurses, licensed
21 vocational nurses, mental health social workers, and the unit secretary. Respondent managed and
22 supervised the nursing care being given by subordinates.

23 16. On or about May 4, 2007, at 0700 hours, Patient B.M. was in a posey vest restraint on
24 orders of his treating physician.

25 17. On or about May 4, 2007, at about 0945 hours, without physician consultation or

26 ¹ A Posey vest is a type of medical restraint used to restrain a patient to a bed or chair. The
27 vest is placed on the patient, and meshy straps extending from each corner are tied either
28 individually to each side of the bed or together to the back of a chair. Posey vests are most often
used to prevent patients from injuring themselves by falling or climbing out of the bed or chair.

1 orders, Respondent directed removal of Patient B.M.'s physician ordered posey vest and then, cut
2 it off herself. Subsequently, patient B.M. fell. Respondent's staff documented Respondent's
3 directive regarding the posey vest. The hospital records fail to document Patient B.M.'s pose vest
4 removal by Respondent. The hospital records fail to document Patient B.M.'s fall.

5 18. On or about May 4, 2007, at about 1245 hours, after his fall, Patient B.M. was
6 observed as constantly pulling on patients and staff which actions caused staff to consult with
7 family members about this new erratic behavior trying to relate it to his medical history.

8 19. On or about May 6, 2007, Patient B.M. was sent to x-ray. Patient B.M.'s x-rays
9 revealed an angulated right hip fracture requiring surgical repair.

10 20. After Patient B.M.'s fall, he sustained approximately three (3) hip surgeries. After
11 development of a bacterial infection in his hip that spread to his gallbladder, Patient B.M.
12 sustained another surgery for removal of his gallbladder.

13 FIRST CAUSE FOR DISCIPLINE

14 (Gross Negligence)

15 21. Respondent is subject to disciplinary action under section 2761, subdivision (a)(1), in
16 conjunction with California Code of Regulations, title 16, section 1442, on the grounds of
17 unprofessional conduct, in that on or about May 4, 2007, while on duty as a registered nurse at
18 BHU, NHMC, Respondent demonstrated acts of gross negligence through the removal of Patient
19 B.M.'s physician ordered posey vest, as follows:

- 20 a. by failing to provide a safe environment for Patient B.M.;
- 21 b. by failing to follow physician's orders for Patient B.M.;
- 22 c. by endangering the life and health of Patient B.M.; and
- 23 d. by failing to execute sound judgment in regard to the care provided to Patient B.M.

24 SECOND CAUSE FOR DISCIPLINE

25 (Incompetence)

26 22. Respondent is subject to disciplinary action under section 2761, subdivision (a)(1), in
27 conjunction with California Code of Regulations, title 16, section 1443, on the grounds of
28 unprofessional conduct, in that on or about May 4, 2007, while on duty as a registered nurse at

1 BHU, NHMC, Respondent demonstrated acts of incompetence by failing to exercise her degree
2 of knowledge, skill, and care, as follows:

- 3 a. by failing to ensure that Patient B.M would not be harmed in any way;
- 4 b. by failing to not cause direct harm to Patient B.M.;
- 5 c. by failing to not cause jeopardy to Patient B.M.'s health and well-being;
- 6 d. by failing to document, or cause to have documented, any of the incident regarding
7 her nursing actions of Patient B.M. and removal of his posey vest;
- 8 e. by failing to document, or cause to have documented, patient B.M.'s fall;
- 9 f. by failing to utilize her floor nurse and manager experience;
- 10 g. by failing to ensure that all patients within her care would remain safe and out of
11 harm's way;
- 12 h. by failing to practice the ethics and code of conduct expected of a registered nurse;
- 13 and
- 14 i. by failing to act with sound judgment and function as a competent registered nurse.

15 **THIRD CAUSE FOR DISCIPLINE**

16 **(Unprofessional Conduct)**

17 23. Respondent is subject to disciplinary action under section 2761, subdivision (a), in
18 that on or about May 4, 2007, in regard to Patient B.M., Respondent committed acts of
19 unprofessional conduct. Complainant refers to and by this reference incorporates the allegations
20 set forth above in paragraphs 12 - 22, inclusive, as though set forth fully.

21 **PRAYER**

22 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
23 and that following the hearing, the Board of Registered Nursing issue a decision:

- 24 1. Revoking or suspending Registered Nurse License No. 234876, issued to Camellia
25 Johnson aka Cami Suzanne Johnson;
- 26 2. Ordering Camellia Johnson aka Cami Suzanne Johnson to pay the Board the
27 reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3; and
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3. Taking such other and further action as deemed necessary and proper.

DATED:

June 8, 2011

Louise R. Bailey

LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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